

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CLERK MAGISTRATE NO: 04-10063MBB *RCL*

UNITED STATES OF AMERICA )  
 )  
VS. )  
 )  
IVAN RODRIGUEZ )

**MOTION TO CONTINUE**

Now comes the defendant, IVAN RODRIGUEZ, and moves that this Honorable Court continue his case which is scheduled for Final Status on Tuesday, September 7, 2004, to Wednesday, September 22, 2004, at 2:00 pm.

As grounds therefore the defendant states, that his attorney has professional and personal commitments which will prevent him from coming to Boston this afternoon.

As further grounds, the defendant states that Assistant United States District Attorney, Peter Levitt, assents to this motion provided that the time from September 7, 2004 through September 22, 2004, be excluded under the Speedy Trial Act. Attorney Sutter agrees that this time should be excluded from the Speedy Trial Act.

WHEREFORE, the defendant respectfully requests that this Honorable Court continue this matter to Wednesday, September 22, 2004, at 2:00 pm.

By his attorney,

*C. Samuel Sutter*

C. Samuel Sutter  
203 Plymouth Avenue, Bld. 7  
Fall River, Ma 02721  
Telephone: (508) 674-8633  
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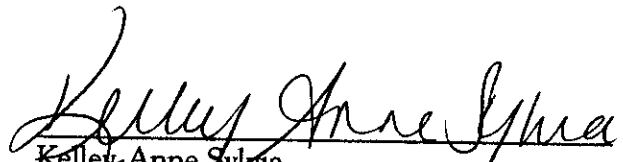
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**CERTIFICATE OF SERVICE**

I, Kelley Anne Sylvia, hereby certify that on Tuesday, September 7, 2004, I sent by facsimile, to number (617) 748-3974, a copy of the foregoing Motion to Continue, to United States Assistant District Attorney Peter Levitt of the United States Attorney's Office, 1 Courthouse Way, Boston, Massachusetts 02210.

  
Kelley Anne Sylvia